DOCUMENT RESUME

ED 326 460 SO 030 058

AUTHOR	Biermann, Melanie; And Others
TITLE	Madison, Montpelier, and the Constitution: A Field Trip Experience for Students. Secondary Program.
INSTITUTION	National Trust for Historic Preservation, Washington, D.C.
SPONS AGENCY	Commission on the Bicentennial of the United States Constitution, Washington, DC.
PUB DATE	90
NOTE	54p.; For the elementary and middle school programs, see SO 030 056-057.
PUB TYPE	Guides - Classroom Use - Guides (For Teachers) (052) -- Guides - Classroom Use - Materials (For Learner) (051) -- Historical Materials (060)
EDRS PRICE	MF01/PC03 Plus Postage.
DESCRIPTORS	Class Activities; *Field Trips; *History Instruction; Learning Activities; Role Playing; Secondary Education; Social Studies; *United States History
IDENTIFIERS	*Madison (James); *Montpelier (Madison Home); United States Constitution

ABSTRACT

The life of James Madison, the "Father of the Constitution," and his role in U.S. history are discussed in this guide to an educational program designed to acquaint students with Madison prior to a class field trip to his home, Montpelier. An essay on Madison and the Constitution is included, as well as a vocabulary list, a historic timeline, and a selected bibliography. The guide to the participatory house tour of Montpelier, "I Was There!," is designed to allow students to meet, through role-playing situations, eight people who influenced Madison's life and political principles. A cast of characters and scripts to be used in this exercise are included in the document. Ten activity sheets, and appendices containing highlights from the Constitution and Bill of Rights also appear. All scripts, vocabulary lists, timelines, maps, activity sheets, and Constitutional materials for students are provided. Details for arranging a field trip to Montpelier also are included. (DB)

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MADISON, MONTPELIER, AND *THE CONSTITUTION*

A Field Trip Experience for Students

Secondary Program

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MADISON, MONTPELIER, AND *THE CONSTITUTION*

A Field Trip Experience for Students

Secondary Program

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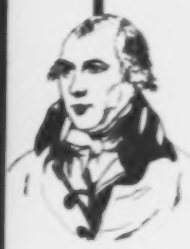

Madison, Montpelier, and the Constitution

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Permission is granted to teachers to make copies of activities and scripts for use with their students.

Developed with the support of a grant from the Commission on the Bicentennial of the United States Constitution.

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TABLE OF CONTENTS

Educational Advisory Committee 4

Guidelines for Educators 5

Selected Bibliography 7

James Madison and the Constitution 8

Vocabulary 16

Timeline 18

I Was There!

- Introduction 19
- Cast of Characters (students) 20
- Cast of Characters (teachers) 21
- Scripts 24

Activity Sheets

- Teacher's Guide 32
- Activity Sheets 34

Appendices

- Appendix A: Highlights from the Constitution 48
- Appendix B: Highlights from the Bill of Rights 50

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We extend our gratitude to Professor A.E. Dick Howard of the University of Virginia; Professor John Patrick of the Social Studies Development Center at Indiana University; Mr. Joseph E. O'Brien and Mr. G. Michael Wildasin of the Virginia Institute for Law and Citizenship Studies at Virginia Commonwealth University; and Mr. Don Nichols of Fairfax County, Virginia Public Schools. We also thank Montpelier staff members Christopher Scott, Ann Miller, Karen Costello, June Murphy, and Melissa Haines. We extend special thanks to Ms. Dory Twitchell of Montpelier Station, Virginia, whose commitment and foresight made this project possible.

GUIDELINES FOR EDUCATORS

The key to a successful field trip is careful planning. Please take a few minutes to acquaint yourself with this teacher's guide and allow some time before and after your field trip to use the pre-visit and post-visit activities.

All scripts, vocabulary lists, timelines, maps, activity sheets and Constitutional materials may be photocopied freely for students. Professor A.E. Dick Howard's introduction to the life and work of James Madison provides background information for the teacher. The appendix contains summaries of the Constitution and the Bill of Rights as well as summary sheets of each.

You will also find a chart which outlines the activity sheets and preparation information. Each activity is linked to specific Standards of Learning and includes behavioral objectives. The activities are designed to mesh with the topics generally included in Virginia's eleventh and twelfth grade social studies classes.

You should begin preparation for the field trip with the introductory videotape. This short tape provides the historical background necessary for an understanding of James Madison and his role as chief architect of the U.S. Constitution. You may choose the pre-visit and post-visit activities most suited for your students. Students may work individually or in small groups; however, they should be comfortable with new vocabulary.

Scripts for the participatory house tour, *I Was There!*, are included in this guide. Please copy the scripts and assign the eight parts, along with the roles of two reporters, to students before your visit. Students should study the scripts and be comfortable with the parts; they are free to adapt and re-work their roles.

The second part of the field trip experience, *Rights and Responsibilities*, focuses on constitutional issues today. Again, students will play the roles of different participants in a constitutional controversy as your Montpelier docent leads a discussion of issues. Students will complete a debriefing form at the completion of *Rights and Responsibilities*.

All aspects of this educational program are designed to be interactive; this is not a teacher-centered, docent-centered, or "talking head" approach. Students will be actively involved in shaping their field trip experiences. The student who views a field trip to Montpelier as "a day out of class" will miss an extraordinary opportunity for learning.

As a historic house museum, Montpelier presents a remarkable set of

problems and challenges. The property is vast by today's standards – over 2,700 acres of pasture, fields, and woods. Within this bucolic setting lies a 55-room mansion and over 130 other buildings. The property was first owned by James Madison's grandfather. It stayed in the Madison family for over 100 years until it was sold by Dolley Madison in 1844. The mansion itself was redesigned and reconstructed by subsequent owners, especially the duPont family who owned the property from 1901 until 1984. Thus, the Madison house is largely obscured by duPont renovations. In addition, the mansion is in a state of disrepair and is currently not furnished.

Students and teachers who visit Montpelier can look forward to an unusual day of learning. You will have the opportunity to consider the interpretive context of Montpelier as a "primary source" and "work in progress" while you learn about James Madison, politician, farmer, family man, and "Father of the Constitution."

SELECTED BIBLIOGRAPHY

Lessons on the Constitution is a book of 60 lessons on various aspects of the U.S. Constitution, designed to supplement high school courses in civics, American history, and American government. Written for Project '87 by John J. Patrick and Richard C. Remy, it is available from Social Science Education Consortium, Inc., 855 Broadway, Boulder, CO 80302.

The Constitution: Evolution of a Government is a package of primary source documents and teacher's guide produced by the National Archives and published by SIRS, Inc., P.O. Box 2348, Boca Raton, FL 33427.

The U.S. Constitution is a set of six 30-minute programs, hosted by Bill Moyers, that show junior high and high school students the recurring themes and issues of American constitutional government. Available from AIT, Box A, Bloomington, IN 47402. (800)457-4509

55 Men: The Story of the Constitution by Fred Rodell is an account of the Constitutional Convention based on the daily notes of Madison and suitable for high school students and adults.

Miracle at Philadelphia by Catherine Drinker Bowen is a readable account of the Constitutional Convention and suitable for high school students and adults.

Shh! We're Writing the Constitution by Jean Fritz is a lively book suitable for elementary and middle school students.

Celebrating the Constitution is an activities book for students in grades 5-8 by R. Beery and M.C. Schug. It is available from Good Year Books, 1900 East Lake Avenue, Glenview IL 60025.

Teaching Today's Constitution: A Contemporary Approach is a collection of lessons and case studies for high school students published by the Social Studies School Service, 10200 Jefferson Blvd., Culver City, CA 90232.

The Constitution Sampler is a grab bag of lesson plans by classroom teachers at all levels. It was written by SPICE II teachers and is available from the Center for Research and Development in Law-Related Education (CRADLE) at Wake Forest University School of Law, Winston-Salem, NC.

"James Madison, Architect of the Constitution" is a good biography for middle and high school students in the September, 1987, issue of *National Geographic Magazine*.

The Virginia Ratification Convention is a simulation which illuminates the major issues in the ratification debate and is available from Interact Company, Box 997, Lakeside, CA 92040.

JAMES MADISON AND THE CONSTITUTION

This article first appeared in the Summer 1985 edition of *The Wilson Quarterly* as Americans prepared to celebrate the Bicentennial of their nation's Constitution. A.E. Dick Howard is White Burkett Miller Professor of Law and Public Affairs at the University of Virginia. He is currently serving as Chairman of Virginia's Commission on the Bicentennial of the United States Constitution. He frequently comments on constitutional subjects on national television. His books include *The Road from Runnymede: Magna Carta and Constitutionalism in America* and *Commentaries on the Constitution of Virginia*, which won a Phi Beta Kappa prize.

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* * *

He was not what today we would call a charismatic leader; for strength of personality, it is his wife, Dolley, who comes to mind. He was only five feet, six inches tall and in his early years was often in poor health. He lacked the majestic presence and martial prowess of George Washington. His prose, while copious and competent, had none of the bite of Thomas Paine's pamphlets or the elegance of Thomas Jefferson's letters. In an age when public speaking was a prized political asset, his voice was weak and faltering. He was, in sum, an unlikely candidate for the historic role he played.

Yet, it was James Madison, more than any other Founding Father, who shaped our constitutional system of government – in effect, institutionalizing the American Revolution.

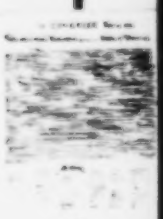
Madison was well aware of his shortcomings. He believed himself to be physically and temperamentally unsuited for both the law and the ministry. But he possessed an alert and agile mind. He was a voracious reader. And, despite early infirmities, he was productive and energetic. As Madison matured, he drew about him a circle of powerful friends who recognized in him a quiet but keen sense of humor, a potential for iconoclasm, and an unshakable integrity.

"His diffidence," wrote Edmund Randolph, a friend, "went hand in hand with his morals which repelled vice, however fashionable. In convention debate, his lips were never unsealed except to some member, who happened to sit near him; and he who had once partaken of the rich banquet of his remarks, did not fail to wish to sit daily within reach of his conversation."

We are in reach of his conversation still, for Madison's words transcend the centuries. Much has changed in the United States since the times of the Founding Fathers, but Madison has much to tell us yet. And it may not be idle, from time to time, when faced with thorny issues of governance and equity, to wonder what Madison might have said and done.

James Madison was born to gentry at Port Conway, Virginia, on the Rappahannock, on March 16, 1751. Shortly after his birth, the Madison family moved west from the Tidewater district to the Virginia Piedmont, at the foot of the Blue Ridge Mountains. This trip to the family plantation, Montpelier, was only 50 miles or so, but in Madison's day, life and politics in Virginia were heavily colored by differences in outlook between the

"eastern establishment" and the Commonwealth's more boisterous western counties. Like Thomas Jefferson, who lived not far away and who would be a friend for 50 years, Madison grew up with that strange blend of rustic life and cultivated discourse that marked life among the well-to-do in the Piedmont. And like Jefferson, the young Madison enjoyed the leisure purchased by slavery – a leisure employed in the education of a Virginia gentleman.



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In 1769, after years of private tutors and a stint at Donald Robertson's celebrated Latin school, Madison took a distinctly unusual step for a Virginian. Influenced by one of his tutors, he enrolled in the College of New Jersey (now Princeton University) instead of the College of William and Mary in Williamsburg. The decision to attend Princeton, where Edinburgh-educated John Witherspoon had lately been installed as president, was a momentous one.

Among other things, it brought Madison into contact with the ideas of the Scottish Enlightenment. The young scholar came to appreciate the notion – fundamental among such Enlightenment philosophers as Francis Hutcheson, Thomas Reid, and Adam Ferguson – that the study of history could yield generalizations about human nature, thereby furnishing guidelines for the governance for human affairs. At the same time, Madison became familiar with the writings of Locke, Montesquieu, Harrington, Grotius, and Hobbes. He devoted himself to an intense study of "The Law of Nature and of Nations." With what he later remembered as the "minimum of sleep and the maximum of application," Madison completed his baccalaureate studies in less than three years, but he stayed several months longer to study under Witherspoon.

He left Princeton in 1772, with a firm faith in empiricism and common sense. Years later, when the Constitution was up for ratification, Madison would ask Americans to judge the document on the basis not of "custom" or a "blind veneration of antiquity" but rather of "their own good sense, the knowledge of their own situation, and the lessons of their own experience." Experience, he held, was "the last best oracle of wisdom."

Madison returned to Montpelier to ponder his future. He was soon overtaken by a sudden, debilitating nervous disorder. The illness was complicated by persistent intimations of mortality, prompted in part by the sudden death of a college friend. "I am too dull and infirm now", he confided in one letter, "to look out for any extraordinary things in this world for I think my sensations for many months past have intimated to me not to expect a long or healthy life." But despondency soon gave way to a passionate interest in public affairs.

The first issue to engage Madison's attention involved religion – specifically, local Anglican persecutions of Baptists and other dissenters. Princeton had seethed with revolutionary fervor, and Madison was an ardent patriot. But it was intolerance by a corrupt, established church that truly got him angry. In letters to a friend, William Bradford, during 1773-74, Madison railed against "Knavery among Priesthood" and asserted that "religious bondage shackles and debilitates the mind and unfits it for every noble enterprize." Religious liberty would be for Madison a lifelong crusade.

Correspondence on political questions eventually drew Madison into active politics. In his first contest for elective office, in 1774, he won a seat on Orange County's Committee

of Safety – charged with enforcing the boycott of British goods decreed by the Continental Congress. Two years later, on the eve of revolution, Madison, aged 25, became the youngest member of the upstart Virginia Convention in Williamsburg – the de facto government of the Commonwealth, supplanting the House of Burgesses. In May of 1776, the Convention took a fateful step, instructing Virginia's delegates at the Continental Congress in Philadelphia to introduce a resolution calling for independence from Great Britain. Shortly afterwards, when the Virginia Convention was drawing up a state constitution, Madison drafted the clause guaranteeing "the full and free exercise of religion."

Madison suffered the only electoral defeat of his career a year later, in 1777, by refusing to ply his Orange County constituents with drink – an established election-day custom at the time. But his talents by then were plain to the legislators in Williamsburg. In 1780, Madison was sent to Philadelphia as a delegate to the Continental Congress. For the first time, he was immersed in national rather than regional politics and would continue to be so for the next three years, until the Treaty of Paris formally ended hostilities.

Returning to Virginia in 1783, Madison found relaxation in intellectual pursuits. As if in training for the task that lay ahead, he made a special study of confederations, ancient and modern. He wrote to Jefferson, then in Paris, asking his friend to send him books, especially those throwing light on the "general constitution and droit public of the several confederacies which have existed" – leagues such as those of ancient Greece and contemporary Switzerland. With characteristic energy, Jefferson saw to it that a procession of books went across the Atlantic to Madison, some 200 volumes in all.

Madison's reading ranged from Plutarch and Polybius to Mably and Montesquieu. In these writings, he found repeated confirmation of what was becoming a favorite Madisonian thesis: A confederacy cannot hold together without a strong central government. One by one, Madison considered the strengths and weaknesses of confederacies down through the ages – the Lycian, the Amphictyonic, the Achaean, the Helvetic, the Belgic, the Germanic. On each of these he penned a monograph, always concluding with a section entitled "The Vices of the Constitution." Ultimately, Madison produced a 40-page manuscript, which he later cannibalized for The Federalist (1787-88).

* * *

Madison undoubtedly suspected that his scholarly preoccupations were not idle. The 1780s were an uncertain time for the young American nation. The Articles of Confederation had been adopted in 1781, linking the 13 states in a loose federated regime. The defeats in the arrangement quickly became apparent. Under the Articles,Congress had neither the power to tax nor the power to regulate commerce. The Articles declared that "each state retains its sovereignty, freedom, and independence," and the several states proved eager to take the document at its word, often at the expense of the national welfare. Economic rivalries were especially sharp, with each state pressing its own special interests – whether trade, agriculture, or manufacturing – and inclined to treat its neighbors as it would a foreign power.

The answer to these problems, Madison concluded, was to give Congress the power to regulate commerce. As he wrote to James Monroe, the states could no more exercise this power separately than "they could separately carry on war, or separately form treaties of alliance or Commerce." In the Virginia legislature, Madison introduced a resolution

12

calling on the 13 states to meet and consider to what extent uniformity in their commercial regulations might advance their interests and their mutual comity. The resolution passed, and Virginia formally proposed a conclave in Annapolis in September 1786.

Only five states sent delegates. But the men of those five delegations, including Alexander Hamilton and Edmund Randolph, came to a radical conclusion: Merely overhauling the commercial provisions of the Articles was not enough; the Articles as a whole were fundamentally flawed. The men gathered at Annapolis resolved that each state should appoint commissioners to meet at Philadelphia "to devise such further provisions as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the Union." In other words, they called for a constitutional convention.

* * *

No one who attended the great gathering at Philadelphia in 1787 was better prepared for the job of constitution-crafting than was Madison. In letters to Jefferson, to Randolph, and to Washington, Madison set out his thinking about the nation's constitutional needs. The larger states, he felt, must have fairer representation, and the national government needed enhanced authority – including authority to override state laws in conflict with national legislation. Madison summed up his position in a letter to Washington: "Conceiving that an individual independence of the States is utterly irreconcilable with their aggregate sovereignty; and that a consolidation of the whole into one simple republic would be as inexpedient as it is unattainable, I have sought for some middle ground, which may at once support a due supremacy of the national authority, and not exclude the local authorities whenever they can be subordinately useful."

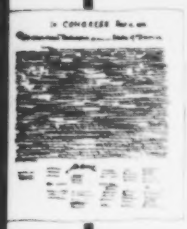
Called ostensibly to draft amendments to the Articles of Confederation, the Philadelphia convention almost at once moved on to more ambitious business – the writing of a totally new constitution.

The advocates of wholesale reform boasted a major advantage: They had in hand a comprehensive constitutional blueprint, the so-called Virginia Plan, shaped largely by Madison. It was adopted as the working model. The Virginia Plan proposed a National Executive, a National Judiciary, and a National Legislature consisting of two houses apportioned according to population and empowered to legislate "in all casesto which the separate States are incompetent."

The 36-year-old Madison was the dominating spirit of the convention. His winning ways, persuasive powers, and command of constitutional principles deeply impressed the other delegates. Georgia's William Pierce wrote, "Every person seems to acknowledge his greatness. He blends together the profound politician, with the Scholar."

* * *

Many of Madison's specific ideas failed to be adopted – for example, his proposed Council of Revision, drawn from both the judicial and executive branches, which could veto laws passed by Congress or state legislatures. But in its essentials, the Constitution eventually agreed upon was the one proposed by Madison. The three branches of government, the separation of powers, the powerful central government – all of these elements survived. As if this were not contribution enough, Madison also served as the



convention's chief, though unofficial, rapporteur. Using a self-invented shorthand to speed his note-taking, Madison carefully transcribed the proceedings. As he reported later, "It happened, also, that I was not absent a single day, nor more than a casual fraction of an hour in any day, so that I could not have lost a single speech, except a very short one." His almost verbatim account of the convention was not published until 1840, four years after his death, because Madison scrupulously observed the vow of secrecy imposed on convention delegates.

As the country turned to the business of ratification, Madison was out in front once more. Together with Hamilton and John Jay, he penned a brilliant series of essays for New York newspapers in support of the new Constitution. Of the 85 essays, collected and published as The Federalist, Madison wrote 29.

The Federalist has few competitors as America's most important single contribution to political theory. In Federalist No. 10, Madison defines one key task of government, in terms that appear eerily prescient, as being to reconcile rivalries between competing economic groups. The "regulation of these various and interfering interests" suggests the modern notion of the "broker state." Madison was under no illusions about human nature. "But what is government itself," he asks in Federalist No. 51, "but the greatest of all reflections on human nature? If men were angels, no government would be necessary."

Above all, Madison was a pragmatist. He treats government not as an abstraction but as an engineering problem. In Federalist No. 48, contemplating relations among the three branches of the central government, Madison dwells on the importance of checks and balances. The experience under the Articles had taught him to be suspicious of mere "parchment barriers." Since a total separation of powers in the federal branch was obviously unworkable, the only way to avoid an undue concentration of power in any one branch was to have the several branches "so far connected and blended, as to give each a constitutional control over the others."

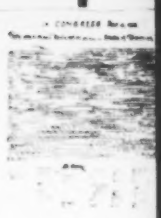
So elegantly and thoroughly was Madison's defense of the proposed charter marshaled in The Federalist that the essays quickly became, and have remained, essential glosses on the Constitution.

After rancorous debate, the Constitution of the United States of America was finally ratified in 1788. Madison led its Federalist proponents in Virginia, ultimately defeating the forces of Antifederalists Patrick Henry and George Mason by a vote of 89 to 79 in that state's ratifying convention. Virginia's decision was of great significance. Given the state's pivotal position in the nation, in terms of wealth, population, and intellectual influence, a rejection of the charter by Virginia might well have prompted other states to follow suit.

* * *

The Constitution was ratified, but with implicit strings attached by the Antifederalists. Chief among them was the addition of a Bill of Rights – the first 10 amendments. Madison was uneasy about spelling out Americans' fundamental liberties. He was concerned, for one, that the list might prove incomplete. He feared that enumerating rights might imply the existence of a parallel set of powers never meant to be delegated to the central government.

Nevertheless, as he explained to Jefferson, a Bill of Rights could serve two powerful objectives. First, "the political truths declared in that solemn manner" would "acquire by degrees the character of fundamental maxims of free Government." Second, occasions might arise when the existence of a Bill of Rights could prove to be "a good ground for an appeal to the sense of community."



When the First Congress convened in New York in 1789, Madison, now a congressman from Virginia, led the battle for the Bill of Rights. In June, he brought the issue to the floor, moving for a Committee of the Whole to consider amendments proposed by eight of the state ratifying conventions. Facing considerable opposition, Madison brilliantly engineered passage of the Bill. He winnowed down the list of amendments, ignoring those that would have enhanced state power at the expense of the federal government. Out of the proposals that remained (essentially libertarian), he crafted a series of amendments remarkably similar to the 10 that were ultimately ratified. Her patiently answered the objections of his colleagues and adroitly avoided efforts by opponents to delay the votes or weaken the proposals.

* * *

Madison squarely faced arguments that the Bill of Rights would amount to no more than a "scrap of paper." Once the Bill of Rights was incorporated into the Constitution, he submitted, "independent tribunals of justice will consider themselves in a peculiar manner the guardians of those rights; they [the courts] will be an impenetrable bulwark against every assumption of power in the Legislative or Executive." This prediction, that the judicial branch would assert the right of judicial review, was borne out in 1803, when Chief Justice John Marshall handed down the Supreme Court's decision in Marbury v. Madison.

With ratification of the Bill of Rights, James Madison brought an end to the most important work of his career. To be sure, he remained in public service for manydecades, but those decades have the tenor of anticlimax. In his instructions for his tomb at Monticello, Jefferson wanted only three accomplishments recorded: the writing of the Declaration of Independence (1776), the authorship of the Virginia Statute of Religious Freedom (1785), and the founding of the University of Virginia (1819). There is no mention of his holding high office. Madison, like Jefferson, served as Secretary of State and as President of the United States. And, like Jefferson's, Madison's legacy is somehow separate from all of that. It is nor too much of an exaggeration to say that Madison would be as esteemed today if he had died in 1790 instead of almost half a century later.

In 1797, James Madison left public life, hoping to spend more time caring for his 4,000-acre Montpelier estate – and for his new bride, the former Dolley Payne Todd, a vivacious and charming woman whose beauty and wit made her a political asset as well as a beloved companion. But the election of 1800 brought Jefferson to the presidency and Madison into the cabinet. In his autobiography, Madison has the following – and only the following – to say about his service under Jefferson: "In 1801 he [Madison] was appointed Secretary of State and remained such until 1809."

In that year, Madison himself assumed the nation's highest office, spending two difficult terms (1809-17) in a presidency that is chiefly remembered for the War of 1812 and the burning of the White House by British troops. The War of 1812 was an inconclusive tragicomedy that soon lost popular support. But the United States emerged from the

conflict with a fresh cadre of heroes (e.g., Oliver Perry, Andrew Jackson), a national anthem ("The Star Spangled Banner"), and the confidence born of beating off the British in a second war of independence. With peace in 1815, moreover, came unprecedented prosperity. "Notwithstanding a thousand Faults and blunders," John Adams wrote to Jefferson in 1817, Madison's administration "has acquired more glory, and established more Union, than all his three Predecessors . . . put together" – one of whom, of course, was Adams.

Madison left office in 1817 and returned to Montpelier with Dolley. He spent the remainder of his life largely in private pursuits. Like Jefferson, an apostle of scientific agriculture, he urged fellow farmers to abandon practices that were exhausting the soil. He became absorbed by the issue of slavery – a problem that he and his fellow delegates at Philadelphia had failed to deal with in 1787 – and accepted the presidency of the American Colonization Society, which encouraged the manumission of slaves and their return to Africa. He had hoped, by provisions in his will, to emancipate and repatriate his own slaves, but he fell deeply into debt. Madison's last public appearance was at the Virginia Constitutional Convention of 1829-30, a gathering that accomplished little of the long overdue constitutional reform that Jefferson and others had been urging for years. Confined to bed by rheumatism during his final years, James Madison died quietly at Montpelier on the morning of June 28, 1836.

* * *

A few months earlier, he had dictated a final public message, "Advice to My Country," to his wife. In it, Madison expressed his anxiety about rising tensions between the North and South. He called upon his country to ensure that "the Union of the States be cherished and perpetuated." Ultimately, they would do so, at the cost of over half a million lives lost in a bloody Civil War.

One is tempted to ask, however: By Madison's lights, how has our stewardship been in other respects? If he were here today, what would he think of the way our constitutional system has evolved? Let us consider several Madisonian themes – federalism, faction, self-expression, and religious liberty.

As far as federalism is concerned, Madison would probably be apprehensive. Madison's career reflected a concern for both central authority and states' rights. The Supreme Court was conceived by him to be the arbiter – a "balance wheel" of the constitutional system. In fact, over the years, the Court has shown a persistent bias. It has been far more willing to protect federal interests against state encroachments than vice versa. Meanwhile, in recent decades particularly, the Congress has shown little restraint in enlarging its legislative domain, often ignoring the precepts of federalism. Even that great nationalist, John Marshall, believed that it was the duty of the nation's highest tribunal to oversee Congress in this regard. The Supreme Court no longer does.

* * *

On the subject of factions, Madison distrusted their potential, skeptical of the value even of political parties. He lamented in Federalist No. 10 that legislative measures "are too often decided, not according to the rules of justice, and the rights of the minor party; but by the superior force of an interested and overbearing majority." Regulation of conflicting

interests must be the "principal task" of Congress.

On balance, Madison would probably find that the United States has made progress here. The courts have looked scrupulously for ways to protect ethnic and other insular minorities from the "over-bearing majority." Beginning with the Fourteenth Amendment, and quickening after World War II, Americans have come to enjoy an increasing inclusive set of substantive civil rights. During the 1960's, "one-man, one-vote" rulings curbed the power of legislatures to protect and promote special interests: whites over blacks, the countryside over the cities. State tribunals have taken the lead in overturning laws that restrict access to trades and professions.

Obviously, there are still "vested interests", with allies in Congress and the federal bureaucracy. Political action committees wield undue influence. Madison would have been displeased by this, but not surprised. What would have surprised him is the forum in which "factionalism" is most frequently challenged - not the Congress, supposedly meant for that purpose, but the courts.

In the area of personal autonomy, the United States has traveled far beyond anything Madison could have imagined. Madison championed the freedom of conscience and expression. He declared, in 1784, that the "opinions of men, depending only on the evidence contemplated by their own minds, cannot follow the dictates of other men." But Madison was concerned chiefly with political freedom - the freedom of speech, press, and assembly. He and his contemporaries would hardly have argued that the First Amendment could be used to limit the reach of obscenity laws, or that the right toprivacy guaranteed access to contraceptives. Today's individual liberty cases owe more to John Stuart Mill than to Madison.

The First Amendment protects more than the right to free speech. It also ensures the free exercise of religion and prohibits the "establishment" of any state religion. Madison, of course, felt strongly about this. Religious persecution had first drawn him into politics. On more than one occasion, he fought in constitutional conventions or legislative bodies to guarantee religious freedom. In First Amendment cases, the Supreme Court has looked repeatedly to Madison for guidance on issues of religion. He would be satisfied to learn that, over the years, the Court has found ways to strengthen the "wall of separation" between church and state.

James Madison was hailed in his own lifetime as the Father of the Constitution. In typical fashion, he declined the honorific. The Constitution was not, he contended, "like the fabled Goddess of Wisdom, the offspring of a single brain" but instead "the work of many heads and many hands." And so it continues down to this day. Each generation of Americans, by means of amendment or interpretation, has left its mark on the nation's charter.

But as we try to sort out our own problems, as we apply our heads and hands to the fundamental law of the land, we would do well to recall the sensible mix of theory and practice, of hope and caution, of patience and good will, that Madison brought to his endeavors on behalf of the new republic. As a public man, he was remarkably selfless; receiving "credit" for his accomplishments mattered little to him. He backed compromise with his forceful pen, even when its terms were not wholly congenial, believing that once agreement was achieved, it was a civic duty to defend the "middle way." He embodied an unusual combination of qualities - qualities that seem more precious today because they are so rarely seen in public men.

VOCABULARY

All the vocabulary terms listed below are used in the eight scripts or provide essential background information.

Anglican Church – the established church of England, generally called the Episcopal Church in America

Attorney General – Head of the Justice Department; the "chief lawyer" of the United States

cash crop – a crop, like tobacco, that is grown especially for sale and is an important source of income

cipher – to solve by arithmetic

Continental Congress – the lawmaking body during the American Revolution which served both as the executive branch and the legislative branch of government until the Constitution took effect in 1789

demagogue – a leader who wins support by appealing to people's feelings and prejudices rather than reason

dissenters – those who didn't follow the established church

eminent – famous, outstanding

English School – a schol where English, reading and grammar were the most important subjects

established church – one that is approved of or supported by a government

federalism – a system of government where power is shared between the national government and state governments

General Assembly – the legislative branch in Virginia

gentry – people of high social position; the upper middle class of England and English America

headright – a grant of land in the colonies given by the English government for each immigrant whose passage was paid by a settler

hierarchy – a system of ranks of authority

indentured servant – a laborer, clerk, servant, or artisan who worked for a number of years in exchange for free passage from England to the colonies

Latin School – a school where Latin and Greek were the most important subjects; considered more difficult than English school

levee – a party or "open house"

memoir – a biography

medium of exchange – anything that is commonly used as money

militia – a military force that is used only in emergencies

natural right – a right accorded simply because one is human

overseer – one who directs the work of laborers; a supervisor

patent – a land grant from the government

perseverance – persistence, sticking to a plan

Piedmont – the rolling hills of Virginia; the area west of the flat land of Tidewater, but east of the Blue Ridge

Presbyterianism – a Protestant religion, founded in Scotland, which has a strict moral code and emphasizes simplicity

primogeniture – the right of the oldest son to inherit his father's estate

ratify – to confirm or make an agreement official

religious toleration – the practice of allowing people to follow whatever religion they wish

republican principles – the ideas for good government shared by James Madison and Thomas Jefferson

Shenandoah Valley – the funnel-shaped valley west of the Blue Ridge Mountains

sideboard – a piece of furniture, usually found in the dining room, that holds linen and tableware

Tidewater – the low, flat coastal area of eastern Virginia

valet – a man's personal attendant who takes care of clothes, laundry, etc.

vestry – a committee that administers church business; they also helped widows and orphans

TIMELINE

James Madison	and	his World
Born March 16 Port Conway, Virginia	1751	Colonial population estimated at one million
Early education at Donald Robertson's school	1762-7	Reign of King George III
Student at the College of New Jersey, Princeton	1769-71	Boston Massacre
Tutors siblings, works on legal studies	1772-5	Boston Tea Party, Battles of Lexington and Concord
Delegate to convention which wrote Virginia's constitution	1776	Declaration of Independence
Delegate to Continental Congress	1780-3	Articles of Confederation ratified
Member of Virginia General Assembly; writes *Memorial and Remonstrance* in support of religious liberty	1784-6	Enactment of Virginia Statute for Religious Freedom
Prepares Virginia Plan; leader of Constitutional Convention; writes essays for *The Federalist Papers*	1787	Shays's rebellion put down
Leads fight for ratification in Virginia	1788	Constitution ratified
Elected to U.S. House of Representatives; sponsors Bill of Rights	1789	French Revolution begins; Washington inaugurated as first President
Marries Dolley Payne Todd	1794	
Temporary retirement to Montpelier	1797	John Adams inaugurated as second President
Secretary of State	1801-9	Presidency of Thomas Jefferson
President of the United States	1809-17	
Final Retirement to Montpelier	1817	James Monroe inaugurated as fifth President
Dies at Montpelier	1836	Texas Independence

SCRIPTS FOR I WAS THERE!

Introduction

I Was There! is a participatory house tour of Montpelier, the lifelong home of James Madison, chief architect of the Constitution. The tour is designed to allow students to meet, through role-playing situations, eight people who influenced Madison's life and political principles. Each of the characters was a real person and the scripts are historically accurate. In some scripts, actual quotes from that person are used.

Each of the eight characters has an informal script. Teachers should assign roles and distribute scripts to students before their visit. Students can then "become" one of the historical figures as they tour Montpelier. Other students can serve as reporters; they can ask questions, review comments, and take notes on the tour.

Students should be comfortable with this material and draw freely from supplemental information. Students may share roles and are free to do further research in order to further "flesh out" their characters.

Students and teachers should view the introductory videotape before their visit. It serves as an orientation to Montpelier and the life of James Madison. In addition, the video reviews some of the important themes of the participatory tour.

Students should realize these people were acquainted with James Madison at different points in his life; not all of them would have been together in the same place. Students will move through different rooms as they make their presentations. Props will be available in each room. Two lists of the cast of characters follow–one is for students and the other is for teachers. They are listed in order of appearance.

I Was There! scripts for each of the historical figures can be photocopied freely. During the tour, docents will assist students in moving through the house and handling props, as well as providing background information and directing the dialogue.

CAST OF CHARACTERS

(for students)

#1 JAMES MADISON, SR. was the father of President James Madison.

#2 NELLY CONWAY (MOTHER) MADISON was the mother of President James Madison.

#3 DONALD ROBERTSON was the teacher of James Madison.

#4 BILLEY BRADFORD was a college friend of Madison's.

#5 PATRICK HENRY was a Virginia leader who opposed the Constitution.

#6 THOMAS JEFFERSON was the third President of the U.S. and a close friend of Madison's.

#7 DOLLEY MADISON was the wife of President James Madison.

#8 PAUL JENNINGS was a servant of Madison's for the last twenty-five years of his life.

CAST OF CHARACTERS

(for teachers)

#1 **James Madison, Sr.**, the father of the future President, was one of the largest landowners in Piedmont Virginia in the mid-1700's. The Madison family owned about 10,000 acres in Virginia, about 5,000 of which made up Montpelier and nearby properties. Mr. Madison's parents moved to Orange County in the early 1730's and constructed a house near the site of the present family graveyard. By the early 1740's, Madison, Sr. had assumed major responsibility for the day-to-day operations of the farm. He married Nelly Conway from Tidewater Virginia in 1749; their marriage lasted for over 50 years.

Mr. Madison's presentation focuses on the economic and political life of 18th century Virginia.

#2 **Nelly Conway Madison** came from a large family rooted on the north shore of the Rappahannock. She was only 17 when she married the 21 year-old James Madison, Sr. Her firstborn son, James, Jr. or "Jemmy" was born less than two years later. She went on, as many of her contemporaries did, to bear twelve children, seven of whom survived childhood. Along with her mother and mother-in-law, she provided the primary education in reading, writing, and arithmetic for her son, as well as moral training and a sense of self-discipline. Although she had chronic physical ailments, she remained mentally alert and independent until her death at the age of 97.

Mother Madison's script illuminates family life in the 18th century.

#3 **Donald Robertson** was James Madison's teacher for five years. Born in Scotland, he was educated in Aberdeen and the University of Edinburgh. He was also licensed as a preacher. Madison described him as "a man of great learning and an eminent teacher." Madison noted Robertson's influence on him by writing, "All I have in life I owe to that man."

The main theme of Robertson's presentation is Madison's early education in the context of the 18th century.

#4 **William (Billey) Bradford** was Madison's closest friend at Princeton. A tall, blond young man, he came from a well-to-do Philadelphia family who owned a printing business. He later studied law and became the Attorney General of the United States. After graduating from Princeton, Madison and Bradford wrote back and forth, discussing career options, farming, school friends, books, and current events. Among Madison's other friends and acquaintances at college were the poet, Philip Freneau; the founder of

Hampden-Sydney College in Virginia, Samuel Stanhope Smith; and Aaron Burr,the future vice-president, who introduced Madison to Dolley.

Bradford's presentation focuses on Madison's college days and how those years influenced his early political ideas and career choice.

#5 **Patrick Henry** was one of the most famous Revolutionary Virginians. His gift for public speaking is well-known and his cry of "...give me liberty or give me death!" echoes throughout American history. His gift, however, was also his curse. Many of those who knew him, including James Madison and Thomas Jefferson, considered him a noisy demagogue and shallow thinker. Madison, a Federalist, and Henry, an Anti-Federalist, led the opposing forces during the constitutional ratification fight in June of 1788 in Virginia. Had Patrick Henry prevailed, it is unlikely the Constitution would have become the "law of the land."

Patrick Henry is the only one of the eight characters who was not an admirer of Madison's. His presentation stresses their philosophical and personal differences, especially those related to the ratification of the Constitution.

#6 **Thomas Jefferson,** author of the Declaration of Independence and third President of the United States, was a close friend, neighbor, and political ally of James Madison for 50 years. Together, these two were major architects of the "republican" form of American government which emphasized the rights of the individual and the belief in the ultimate rationality of the human mind. Jefferson considered Madison to be "the best farmer in the world" as well as his closest friend. The Madisons often visited Jefferson at Monticello and Dolley Madison served as White House hostess for the widowed Jefferson during his presidency. Shortly before his death, Jefferson wrote to Madison noting that their long friendship has been a "source of happiness" and "pillar of support" throughout his life and asked that Madison "take care of me when dead, and be assured that I leave with you my last affections."

Jefferson's presentation defines and explains some of the republican principles of government.

#7 **Dolley Madison** has gone down in history as the model of the perfect White House hostess. Visitors, ambassadors, and presidents were charmed by her quick humor, warm personality, sense of fashion, and love of people. Although born a Quaker, she was shut off from their meeting when she married the non-Quaker Madison in 1794. She was a twenty-six year-old widow with a young son when she married the forty-three year-old bachelor. Introduced by Aaron Burr, Dolley was taken by the "great little Madison" and they married within a few months. Although they were married for over forty years, they had no children of their own. Few letters between the two survive; they were devoted friends and never spent much time apart.

Near the end of their lives, one student at the University of Virginia remembered the old couple walking arm-in-arm about the University Grounds, with the younger and stronger Dolley supporting the arthritic man. In their old-fashioned dress, he noted, they seemed to represent a bygone era.

Dolley's presentation illuminates the social and family life of Montpelier.

#8 **Paul Jennings,** a black slave, worked as Madison's personal valet for the last 25 years of his life. Jennings was with Madison when he died and recorded his memories in his *A Colored Man's Reminiscences*. After Dolley Madison sold Montpelier in 1844 and moved to Washington, Jennings was bought and freed by Daniel Webster. He then worked as a paid servant to Daniel Webster and often visited Dolley Madison. She lived in near poverty because she continued to pay off her son's gambling debts. He noted in his memoir that:

> In the last days of her life, before Congress purchased her husband's papers, she was in a state of absolute poverty, and I think she sometimes suffered for the necessaries of life. While I was a servant to Mr. Webster, he often sent me to her with a market-basket of provisions, and told me whenever I saw anything in the house that she was in need of, to take it to her. I often did this, and occasionally gave her small sums of money from my own pocket....

Jennings's script explains slave life at Montpelier and quotes from the memoirs concerning Madison's last days.

#1 JAMES MADISON, SR.

I'm very glad you are able to visit our family home here at Montpelier. I'm anxious to show you around and tell you about our family and this wonderful property.

The first members of my family came to Virginia in the middle of the 1600's, less than 50 years after the founding of Jamestown. My great-grandfather patented, that is, got land rights to 600 acres of land in Tidewater, Virginia on the York River, in King and Queen County. ***[Point to the Tidewater area on the map.]***

My great-grandfather obtained much of his land by the "headright" system. This meant he could earn 50 acres of land for each person he brought from England. Most "headrights" were earned by bringing over indentured servants. Indentured servants were laborers or servants who worked for a number of years in order to pay for their passage.

After my father received a patent, a land grant, for this land in Orange County, my parents moved here to Piedmont Virginia in the early 1700's and built a house on this property. ***[Point to Orange County on the map.]***

In the 1700's, families tended to be very large, with as many as ten or twelve children. It was important for young people to marry into families who had similar family backgrounds. Because it was not uncommon for cousins to marry each other, we were related to most of the prominent families in Orange County.

Our family was considered part of the gentry, the upper class, because we owned a lot of land, we were educated, and we served in local political and church offices. We considered it part of our responsibility as citizens to take part in local government and serve as community leaders. For example, I served as sheriff of Orange County and was a vestryman in our church. These jobs made me a leading citizen of the county. Actually, about 300 to 400 landed families controlled the economic and political life of Virginia in the 1700's.

Following the English custom of primogeniture, land was generally passed down from the father to the eldest son. I took over the responsibilities of managing the farm from my father in the 1740's in much the same way as my son, Jemmy, took over those duties in the 1790's. As the eldest son, Jemmy stood in line to inherit Montpelier. My other properties in Virginia and Kentucky would be inherited by my other sons and sons-in-law.

In the 1700's, the economy of Virginia was based on farming. Our most important cash crop was tobacco and we grew acres and acres of it. We often used tobacco as a medium of exchange, much like you would use coins and dollars today. Tobacco is a difficult crop to manage because it wears out the land quickly. And in the 1700's, the cultivation of tobacco required the use of many slaves. ***[Explain that you are holding some tobacco.]***

Because of growing conflicts with England in 1775, I helped organize the Orange County Committee of Public Safety. This was a citizen committee that looked out for the public good. Jemmy served as a colonel in the militia, a local guard unit. Since this was a volunteer force, we had to supply our own muskets and equipment. Like other counties in the colonies, the men of Orange could see that war with England was a real possibility and we wanted to be ready. ***[Invite your guests inside to meet Mrs. Madison.]***

#2 NELLY CONWAY (MOTHER) MADISON

"I've been a blessed woman...all my life and blessed in old age." Here I am, 97 years old! Who would have thought I'd live this long!"

I grew up on the shores of the Rappahannock in Tidewater Virginia. I met my husband when he used to bring his tobacco from the Piedmont, the "hill country" to the "country below" as Tidewater was often called. My father owned warehouses where tobacco was stored before exportation to England.

Mr. Madison, Jemmy's father, and I got married very young. I was only 17 and he was just 21. But, we were married for over 50 years.

Jemmy was the oldest of twelve children. Since he was my first baby, I was a little frightened, so I went to my mother's home, east of Fredericksburg. ***[Point out the area on your map.]***

Unfortunately, only seven of my children lived until they were grown-up. That was pretty common – so many of my friends also lost their children. The little ones simply couldn't survive their first weeks of life or they died of terrible illnesses. But, since my husband and I both came from large families, Jemmy had lots of cousins, aunts, and uncles in the area.

Like most mothers, I wanted the very best for my first-born son. Along with Jemmy's grandmothers, I taught him to read and write and do basic arithmetic. He loved reading and would read anything around – the farm manuals, books on agriculture, and newspapers from England!

I've seen so much change in my lifetime. When we moved here, Piedmont Virginia was still very open and sparsely settled. I remember when Jemmy was just about four, there were terrible Indian raids in the Great Valley – you call it the Shenandoah today. I remember moving into this house. Jemmy was about ten then – he carried some of the lightweight furniture in! Actually, the house wasn't finished when we moved in and we went on with building for another ten years. The bricks, nails, and boards were produced here but we had to order the brass locks and glass windows from London or Philadelphia. The house was much smaller than what you see today – my son and other families added on to it later. And, we had a number of outbuildings in addition to the main house. There were barns, kitchens, storehouses, sheds, and slave cabins.

And, most of all, I remember the coming of the Revolution. We were all frightened then – both my husband and my son were in the local militia and I worried they might have to defend Orange County from the King's army.

As I reach the end of my days, I'm so proud of my son! I've seen him elected President of this new country. I've been angry when people criticize him, but I realize that happens to a public person. I'm very pleased he married Dolley – she's been a true daughter to me, and I know she thinks of me as her mother! I've been truly blessed!

#3 DONALD ROBERTSON

I was born in Scotland but, like many other Scots in the 1700's, immigrated to the colony of Virginia. Many Scots moved to Virginia so they could freely practice their religion, Presbyterianism or start their own businesses and farms. Here we were free from English domination and persecution.

I was a minister and a schoolmaster. This was very typical of the time. In the 18th century, religious and moral education was a central part of the schooling of young people.

I established my own school in King and Queen County, not far from where James Madison's grandparents lived. King and Queen County is about 70 miles from Orange. Depending on the weather, it would take three to seven days to get there by horseback and ferry boat. ***[Point to King and Queen County and Orange County on the map.]***

James Madison studied at my school for five years, from the time he was eleven until he was sixteen. In the 1700's, children would receive their early education at home from their parents or a tutor. As a young boy, James had been taught to read, write, and cipher by his mother and grandmother at home.

James and some of the other students would live near the school and stay for months at a time. Most of the 40 students at the school were boys from wealthy plantation families. In the 1700's, only children from wealthy families would receive a formal education. Several of James Madison's cousins, including a girl, also attended my school. Small groups of boys would be tutored by a local schoolmaster, who was often a minister as well. Generally, girls did not go to school but learned homemaking skills like cooking and sewing at home. ***[Show the picture of the Virginia schoolhouse.]***

When James first came to my school, he was in the "English school." That meant all of his lessons were in English. Much of the school day was spent in copying information from books and memorizing important facts, poems, and quotations.

When he was twelve, he enrolled in the "Latin school." Most of the instruction took place in Latin. In English and colonial schools of the 1700's, a college-bound student would attend a school where Latin and Greek language and literature were the most important subjects. In addition, he studied geography, algebra, geometry, and religion. ***[Show school books.]***

James loved reading and would spend hours going through books in my library. It was here that he first read history and studied political theory. His interests ranged from Roman poets like Virgil to the New Testament to Italian and French literature. His studies influenced his ideas on the rights of individuals and the responsibilities of government.

James was a serious and hard-working student. He was very self-disciplined, even as a boy. I think the habits of hard work and self-discipline stayed with him the rest of his life.

Sometimes I wonder whether students appreciate their teachers. I was pleased to know that as an adult James described me as "a man of great learning and an eminent teacher." I can't tell you how proud I was when I heard he wrote, "All I have in life I owe largely to that man."

#4 BILLEY BRADFORD

Jemmy and I became friends when we both attended the College of New Jersey, now called Princeton. We lived and studied in this three-story stone building called Nassau Hall. It housed over 140 young men as well as classrooms, a dining room, and study areas. ***[Show picture of Nassau Hall.]***

After leaving Donald Robertson's school, Jemmy had studied advanced Latin and Greek with a tutor here at Montpelier. At the urging of his tutor, he enrolled at Princeton at age 18. At the time, most Virginians attended the College of William and Mary in Williamsburg. But Jemmy had been sickly as a child and thought the climate in Williamsburg would be bad for his health.

Jemmy was so hard-working! He was able to finish college in two years and graduate in 1771! In the 1700's, college required students to pass examinations at the end of each year. Jemmy really knew his Latin and Greek so he did some "cramming" and passed his freshman examinations early. He became a sophomore less than two months after arriving at Princeton!

Jemmy often slept only five hours a night because he studied so hard. He became sick and overtired and worried that he wouldn't live very long.

The subjects we studied included ancient Latin and Greek, French, science, geography, public speaking, mathematics, history, and religion. I remember that Jemmy had a difficult time with French. Although he could read it, he never really spoke it so that it was understandable. He spoke French with a Scottish burr – the way he'd heard it from Donald Robertson!

We spent countless hours copying lecture notes, memorizing Latin orations, and reciting passages from the *Bible*. But since Princeton was considered to be a progressive college, we were encouraged to debate political, religious, and philosophical questions as well. ***[Explain briefly that the books would be like those used at Princeton.]***

I'm sure the many debates we heard and books we read influenced Jemmy immensely in his thinking on the rights of individuals and the place of religion in a person's life. Dr. Witherspoon, the Scottish minister who was president of the college, introduced us to the ideas of liberal thinkers like John Locke and Montesquieu. For example, we debated whether it is proper to resist authority when authority restricts a person's individual liberty. We also discussed the idea of natural rights – do people have certain rights that are theirs just because they are human beings or are rights always handed down by a king or legislature?

In the 1700's, religious instruction was an important part of all education. We said prayers each day, translated passages from the *Bible*, and heard sermons describing proper Christian behavior. In fact, an important job of a college was to train ministers. Although Princeton was a Presbyterian college, it guaranteed that a person of any religion was free to practice his own beliefs.

Although we worked hard, we had fun, too. I remember that Jemmy played practical jokes on our friends. And more than once, he wrote some poetry that poked fun at some of our teachers!

After graduation, Jemmy returned home to Montpelier to tutor his younger brothers and sisters. During these two years, he also worried about choosing a career. He thought he might be a minister or a lawyer, but then he became interested in politics.

#5 PATRICK HENRY

[Several descriptions of Patrick Henry say his glasses were always slipping down his nose – wear your glasses this way!]

I know you've heard of me! You remember that I urged all patriots to fight for independence from England. I believed so strongly in American freedoms, I shouted, "Give me liberty or give me death!" Many American patriots thought I was a great speaker – just the right man to challenge the power of the king! But Madison – such a little fellow with a little voice! He thought I was nothing but a demagogue!

I knew James Madison when he was just a young man. He came to Williamsburg to serve on my advisory council – I was governor of Virginia then! At the time of the American Revolution, I was one of the most powerful men in America. Madison generally supported my ideas at first, but later we disagreed on many issues. He thought I was all talk and no action! He even said I was careless, lazy, and vain!

I refused to go to the Constitutional Convention in Philadelphia. I "smelt a rat!" I thought those men were up to no good! And I was right! They claimed they were just going to revise the Articles of Confederation! But what did they do – they wrote a whole new constitution!

And, they put together a Constitution with no Bill of Rights! ***[Wave the Bill of Rights!]*** Those men in Philadelphia were trying to undo the Revolution! Although a Bill of Rights was added later, Madison and the others put together a Constitution without guarantees on such things as freedom of religion and freedom of speech!

I also thought the Constitution he wrote gave too much power to the central government. I was always opposed to higher taxes – and I was sure they'd make us pay more!

I did not believe Virginia should ratify the Constitution. I thought Virginia was economically independent and might be better off in some kind of Southern confederacy rather than united with the Northern states. So I became the leader of the Anti-Federalists in Virginia – the people who opposed the Constitution. Each state had to decide whether or not to ratify the new Constitution. Nine of the thirteen states had to vote for ratification in order for the Constitution to become the supreme law of the land.

We were all patriots. Each of us believed that he had the right idea of what was good for the country. We argued about many parts of the Constitution. These debates showed that honest and patriotic people often disagree on how things should be done, even though they have the same goals in mind.

#6 THOMAS JEFFERSON

I'm sure you've heard of me! I wrote the Declaration of Independence and served as the third President of the United States. James Madison and I were friends and neighbors for over 50 years! ***[Show the Declaration of Independence.]***

I lived about a day's ride from here at Monticello, near Charlottesville. At one time, I tried to convince Mr. Madison to move closer to Monticello but he wanted to live here on his family's property. Mr. and Mrs. Madison visited me so often, though, that today the guest room is often called the Madison Bedroom.

When I was President, Mr. Madison served as Secretary of State. He then became our fourth President. Because my wife had died, Dolley Madison served as White House hostess for me during my years as President and for her own husband when he followed me in office.

Mr. Madison and I actually met at Williamsburg in 1776, when we were both delegates to the General Assembly. He was only 25 at the time. Although he was quiet and had a weak speaking voice, I was impressed with his bright mind.

We became the best of friends over the years. We were both interested in agriculture, science, education and books. Mr. Madison drew up a list of books that he thought were necessary for the first congressional library.

The major interest we shared was politics and government. Mr. Madison and I were both committed to good government. We agreed on many of the same "republican principles" of government. Don't confuse these "republican" principles with today's Republican political party!

Our republican ideas included the belief that government should reflect the will of the people. We thought there were limits on what a government should do. We believed majority opinion should rule. Government should follow the will of most of the people, not just the richest or most powerful. We hoped to establish a nation where people would have the opportunity to develop their individual talents. We had faith in the limitless freedom of the human mind – that all people should have freedom of speech and freedom of thought. And, believing that all men were free, we worked toward the abolition of slavery.

In college, Mr. Madison had become really interested in the idea of religious toleration – the idea that governments should allow people to practice whatever religion they chose. You see, in the 1700's, most states, including Virginia, had established religions. For example, here in Virginia, the established church was the Anglican Church, now called the Episcopal Church.

Later on, we took this idea of religious freedom a step further. Mr. Madison and I believed strongly in total freedom of choice in religious matters. In our view, each person had a natural right to follow his conscience. We worked together to convince Virginia to pass the Statute for Religious Freedom – this allowed people complete freedom of conscience – they could choose to believe whatever they thought was right. These ideas became the foundation for the First Amendment.

As I remember back, I realize how important James Madison was to me. Mr. Madison was "a pillar of support through life." "His judgment [was] so sound and his heart [was] so good." Our private friendship and our vision for our nation were a constant source of happiness for me.

#7 DOLLEY MADISON

[Arrange the turban so that you look like Dolley's portraits!] When I think back over the years, I know I've had a wonderful life. I've had my share of sorrows, but the 42 years Mr. Madison and I spent together have made me the happiest of women. I came from a Quaker family with its roots in North Carolina. I grew up in Hanover County, Virginia, near Richmond and near the family of Patrick Henry – he was my cousin! We moved to Philadelphia when I was about thirteen because my father wanted to free his slaves. We Quakers believed that every human being should be free.

I met both my husbands in Philadelphia. As you probably know, Mr. Madison was my second husband. My first husband died in a yellow fever epidemic in 1793. I also lost my seven-week old baby and my in-laws during that terrible time. There I was – only 25 – and a widow. I had only my little son, Payne, to give me hope!

I'd heard of "the great little Madison" long before I knew him. He'd written the Constitution seven years earlier and was a Congressman when we met! Aaron Burr, the future vice president, introduced us. James really surprised me! He had a reputation as a cautious and thoughtful man but he asked me to marry him only a few weeks after we were introduced! I wasn't sure I wanted to marry again so shortly after my husband's death, especially to a man who was 17 years older than I was. But he was very persuasive and I finally said yes!

As you can see, Montpelier is a beautiful place. I loved having people visit here! One summer day, we had 90 people for a picnic in the back. Because travel was difficult, some of our friends stayed for days at a time. As First Lady, I also entertained frequently in Washington. We had parties, called levees every Wednesday evening at the President's House. It was a kind of "open house" – everyone in Washington wanted to be invited! We served punch, wine, coffee, light foods and ice cream. Dinner was served at four in the afternoon. The men would often sit around the table after dinner, talking of politics and farming. We ladies might walk in the garden or play loo – a card game I just loved! The dining room was really the center of our entertaining. Two sideboards, which are large buffet tables, stood against the walls – I kept silver candlesticks, knives, serving dishes, and wine glasses in the sideboards.

James also wanted his home to be a kind of museum. He wanted our visitors to learn about American history just from walking around our home. For example, here in the dining room and in the drawing room, we had paintings of people like George Washington, John Adams, and Thomas Jefferson. Our friend, Mr. Jefferson, was one of our favorite visitors. He helped make ice cream popular in the United States. I often served it here. During the summer we kept ice for our visitors under the round little temple you passed on the way in. The temple really covers an ice house – ice would keep for months packed in straw in the cool ground.

I enjoyed politics, too, but I was very careful about my public comments. Gossip starts so easily, you know. James and I often talked privately about his work. But in my day, there were "proprieties to be observed" and women did not get involved in public matters.

#8 PAUL JENNINGS

I was one of about 100 slaves here at Montpelier. Many of the slaves worked in the fields raising tobacco and wheat; others worked as carpenters and blacksmiths. Still others worked here in the house as cooks and house servants.

I worked as a valet for Mr. Madison for the last 25 years of his life. "Mr. Madison, I think, was one of the best men that ever lived. I never saw him in a passion, and never knew him to strike a slave; neither would he allow an overseer to do it."

Montpelier was a working farm, with about 5000 acres. In the 1700's, Virginia plantations like Montpelier were nearly self-sufficient. Almost everything we needed was grown or made here on the farm. We raised tobacco, corn, and oats. We had orchards of pears, apples, figs, grapes, and other fruits. Wagons, horseshoes, clothing, and wheels could all be made here. Although we had horses, there was no race track in those days.

Although Mr. Madison thought slavery was evil, he always owned slaves. Slaves were considered property so they were bought and sold like any other property. Since Virginia's agricultural system was built on slavery, he was caught up in a system he could not change. Slavery, for Mr. Madison, was not consistent with his republican ideals.

When Mr. Madison was a member of the Virginia General Assembly, he proposed a bill that would stop the importation of slaves. He also thought slaves should be freed. Later in his life, he supported societies which attempted to return black people to Africa. Because the economy of Virginia, as well as the rest of the South, depended on slave labor, Mr. Madison, Mr. Jefferson and others found it impossible to convince the General Assembly to stop it.

In the last six months of his life, Mr. Madison was very ill and could not get out of bed. His mind remained sharp, though, so he continued to work on his memoirs and entertain visitors. He had a good sense of humor. He was also very neat and always wore black or gray clothes. "I was always with Mr. Madison...and I was present when he died." One morning at breakfast, "his head...dropped, and he ceased breathing as quietly as the snuff of a candle goes out." He was 85 years old.

[Put out the candle in a dramatic way!]

I accompanied Mrs. Madison to Washington after she sold Montpelier. Later, I was bought by the Massachusetts senator, Daniel Webster, and freed. I often visited Mrs. Madison in Washington. She worried about the good-for-nothing son and continued to pay off his gambling debts. "In the last days of her life, before Congress purchased her husband's papers, she was in a state of absolute poverty and I think she sometimes suffered for the necessaries of life. While I was a servant to Mr. Webster, he often sent me to her with a market-basket of provisions, and told me whenever I saw anything in the house that she was in need of, to take it to her. I often did this, and occasionally gave her small sums of money from my own pocket...."

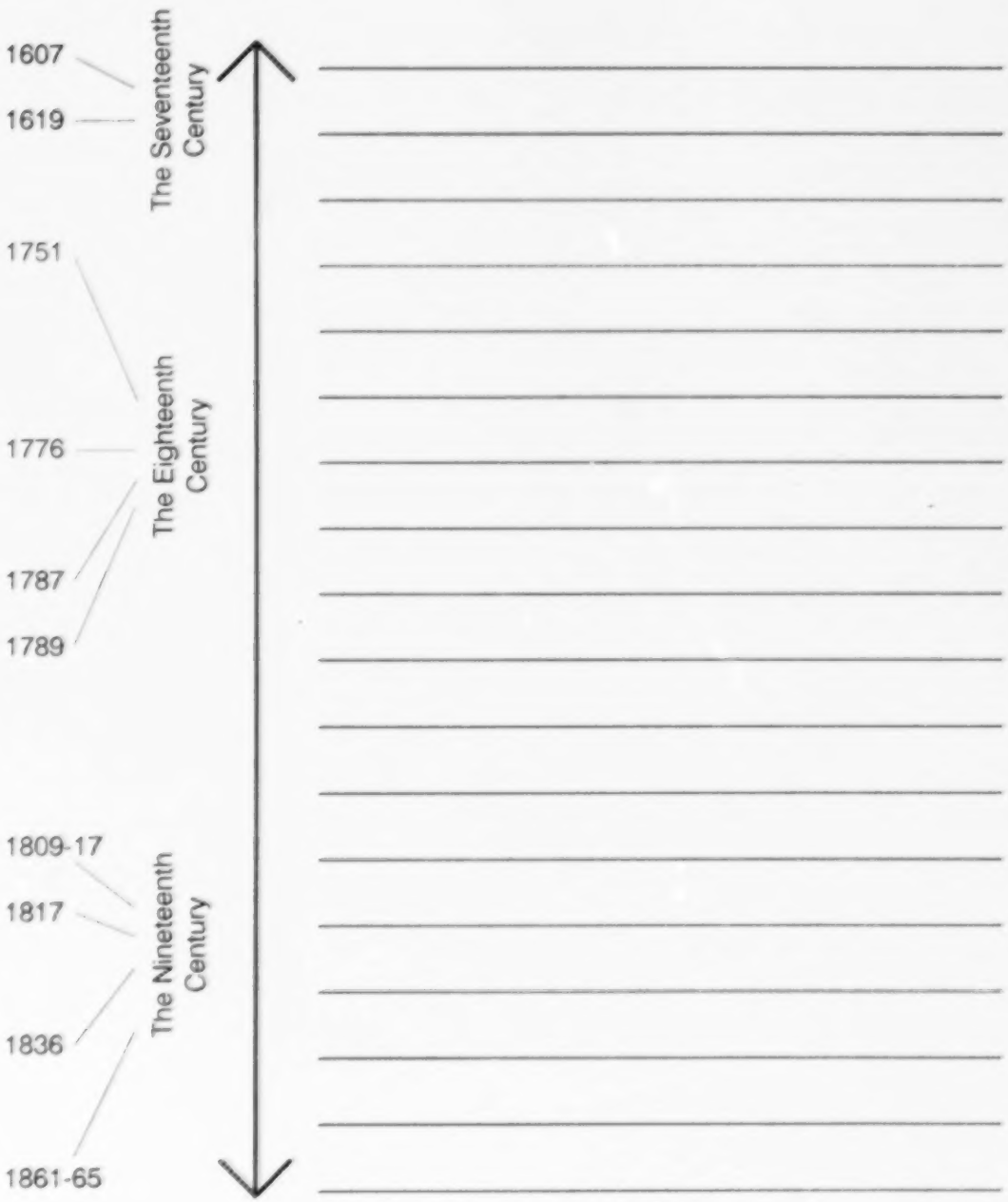
MADISON, MONTPELIER, AND THE CONSTITUTION
TEACHER'S GUIDE TO ACTIVITY SHEETS
Secondary School Activities – 11th and 12th Grades

Activity Sheet	Related to SOL *The student will...*	Objectives *The student will be able to...*	Skills and Concepts	Teacher Preparation *Teachers should...*
#1: Time is on My Side (pre-visit)	11.11 ...arrange events and historical periods in chronological order.	...label events associated with dates. ...determine the relationship between a specific date and its century designation.	• making time lines • sequencing • movement of time	...make copies of Activity Sheet #1 and the Timeline in the teacher's guide.
#2: Now What Did They Say? (pre-visit)	11.1 ...describe the relationship of Virginia and American documents to democratic principles. 12.7 ...analyze the Virginia and United States Constitutions and the documents which preceded their adoption.	...recall information presented in a video. ...describe important documents in American history.	• recalling information • conflict and compromise	...make copies of Activity Sheet #2. ...show videotape and use Activity Sheet #2 to review information afterward.
#3: Who Has the Power? A Look at the Separation of Powers (pre-visit or post-visit)	11.1 ...describe the relationship of Virginia and American documents to democratic principles. 12.6 ...explain the concept of separation of powers.	...summarize information from the Constitution. ...convert narrative information into chart form.	• analyzing information • constitutionalism	...make copies of Activity Sheet #3. ...make copies of the Constitution or "Highlights from the Constitution."
#4: Who Has the Power? A Look at Federalism (pre-visit or post-visit)	11.1 ...describe the relationship of Virginia and American documents to democratic principles. 12.5 ...explain the role of the executive, legislative, and judicial branches of government at the federal, state, and local levels.	...apply the principles of the Bill of Rights to specific situations. ...review the principles of civil liberties.	• analyzing information • constitutionalism	...make copies of Activity Sheet #4. ...make copies of the Bill of Rights or "Highlights from the Bill of Rights."
#5: It's Your Right! (pre-visit or post-visit)	11.1 ...describe the relationship of Virginia and American documents to democratic principles. 12.4 ...analyze the basic rights and responsibilities of American citizens and describe the historical evolution of these rights.	...plan and conduct research. ...analyze different sources of information.	• analyzing information • using reserve materials • individual values	...make copies of Activity Sheet #5. ...assign people to research. ...arrange for appropriate sources of information.

Activity Sheet	Related to SOL *The student will...*	Objectives *The student will be able to...*	Skills and Concepts	Teacher Preparation *Teachers should...*
#6: James Madison and Government (pre-visit or post-visit)	11.12 ...identify individuals and explain their influence on the state and nation. 12.7 ...analyze the Virginia and United States Constitutions and the documents which preceded their adoption.	...translate 18th century concepts into modern English. ...analyze primary sources.	• analysis of primary sources • democratic ideals	...make copies of Activity Sheet #6. ...consider assigning students to work in pairs on this activity.
#7: Meeting of the Minds: James Madison and the Enlightenment (post-visit; for advanced students)	11.5 ...describe the impact of world events on American culture. 12.4 ...analyze the basic rights and responsibilities of American citizens and describe the historical evolution of these rights.	...translate 18th century European and American concepts into modern English. ...analyze primary sources.	• analysis of primary sources • democratic ideals	...make copies of Activity Sheet #7. ...consider assigning students to work in pairs on this activity.
#8: If You Could See Me Now! (post-visit)	11.4 ...show the ways divergent viewpoints have influenced historical events and decisions. 12.2 ...demonstrate a rational approach to social science.	...compare and contrast the 18th century political context with today's. ...evaluate American political principles.	• problem analysis • democratic ideals	...make copies of Activity Sheet #8. ...consider assigning students to work in pairs on this activity.
#9: A Common-place Book (post-visit)	11.12 ...identify individuals and explain their influence on the state and nation. 12.4 ...analyze the basic rights and responsibilities of American citizens and describe the historical evolution of these rights.	...translate 18th century aphorisms into modern English. ...create and evaluate new aphorisms.	• analyzing information • cultural and temporal values • creative writing	...make copies of Activity Sheet #9. ...consider assigning students to work in pairs on the activity.
#10: Thanks for the Memory (post-visit)	11.12 ...identify individuals and explain their influence on the state and nation. 12.4 ...analyze the basic rights and responsibilities of American citizens and describe the historical evolution of these rights.	...describe life in 18th century Virginia. ...create a letter or journal entry.	• evaluating information • cultural and temporal values • creative writing	...make copies of Activity Sheet #10. ...review field trip notes. ...brainstorm with students on possible topics to include.

ACTIVITY SHEET #1
TIME IS ON MY SIDE

Use the TIMELINE, the list of events in James Madison's life and life in the United States, to help you. Add other important dates if you wish. Your textbook may also give you some ideas.



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ACTIVITY SHEET #2
NOW WHAT DID THEY SAY?

After you have watched the videotape, you may want to write down some of the main ideas.

1. Several important documents were mentioned. Describe each briefly.

The Declaration of Independence _____

_____

The Articles of Confederation _____

_____

The Constitution _____

_____

The Federalist Papers _____

_____

The Bill of Rights _____

_____

2. List two reasons the delegates to the Constitutional Convention in Philadelphia in 1787 wanted to change the Articles of Confederation.

_____

_____

3. List several influences on Madison that helped him prepare for his leadership role at the Constitutional Convention.

_____

_____

4. Briefly describe Madison's family life and early years.

_____

_____

_____

5. Identify briefly:

Thomas Jefferson _____

Alexander Hamilton _____

Patrick Henry _____

Virginia Plan _____

ratification _____

federalism _____

Article I _____

Article II _____

Article III _____

ACTIVITY SHEET #3
WHO HAS THE POWER? A LOOK AT SEPARATION OF POWERS

Read each of the situations described below. Decide whether each statement agrees with the Constitution and put YES or NO in the space. Use the first three articles of the Constitution or "Highlights from the Constitution" to help you.

_____1. The President decides that a law passed by Congress violates the Constitution and declares it unconstitutional.

_____2. The Congress passes a bill into law after the President has vetoed it. The bill is passed with a 2/3 majority in each house.

_____3. A justice on the Supreme Court has died. The Senate nominates one of its own members to replace him/her.

_____4. While the Congress was not in session, the President decided to pass a new federal law.

_____5. While the Congress was not in session, enemy planes attached a Marine base in the Philippines. The President declares war.

_____6. The Congress passes a law that limits the amount of money that can be spent on defense.

_____7. The President negotiates a treaty with a Latin American country. Six of the nine Supreme Court Justices approve it, so it goes into effect.

_____8. The House of Representatives votes to impeach the President because he is accused of violating the law.

_____9. The Congress adds ten new federal circuit courts to the federal court system.

_____10. A bill passed by the Congress has been awaiting the President's signature for 15 days while the Congress is in session. Finally, the President vetoes it.

_____11. The President decides to spend more than $1 billion to help African countries suffering from famine.

_____12. The Senate approves the nomination of a new judge to the federal court.

ACTIVITY SHEET #4
WHO HAS THE POWER? A LOOK AT FEDERALISM

As you know, the Constitution calls for a federal government--one in which power is divided between state and national governments. Use the Constitution or "Highlights from the Constitution" to help you determine if the power listed is delegated to the national government, the state government or both. Write down the correct answer.

_____1. The power to coin money.

_____2. The power to declare war.

_____3. The power to conduct elections.

_____4. The power to tax.

_____5. The power to charter banks and corporations.

_____6. The power to ratifiy amendments to the Constitution.

_____7. The power to conduct foreign relations.

_____8. The power to provide for public health, schools and safety.

_____9. The power to spend money for the general welfare.

_____10. The power to make and enforce laws.

_____11. The power to borrow money.

_____12. The power to provide for an army and navy.

_____13. The power to regulate commerce within a state.

_____14. The power to establish courts.

_____15. The power to establish courts inferior to the Supreme Court.

_____16. The power to establish post offices.

_____17. The power to establish local governments.

_____18. The power to take property for public purposes.

_____19. The power to make treaties.

_____20. The power to do what is not delegated to the national government or prohibited to the states.

ACTIVITY SHEET #5
IT'S YOUR RIGHT!

Use a copy of "Highlights from the Bill of Rights" to help you decide if the decision is constitutional or unconstitutional. Put a check in the space if it is allowed. Put an X in the space if it is not allowed.

_____1. Your town council passes a law saying no one can own or read a *Bible*.

_____2. You are a reporter for a local newspaper. You are told by the mayor of your town that you cannot report what happens at town council meetings.

_____3. The nearby navy base has run out of housing units for its officers; the governor decrees that everyone in your county who has an extra room must allow an officer to stay there.

_____4. The mayor wants to pass a law saying everyone must go to church every Sunday.

_____5. The American Nazi party wants to hold a rally in your town.

_____6. A friend of yours was arrested for shoplifting. She has been in jail for nearly a year and has not had a trial.

_____7. The General Assembly passes a law saying that a person convicted of murder should be executed the same way that he/she killed the victim.

_____8. Your mother is arrested when she is handing out voting information in your neighborhood.

_____9. Your neighbor is a suspected drug pusher. The police secretly tape her phone conversations and, while she is out of town, secretly break into her house to obtain evidence.

_____10. Your sister is arrested for not stopping at a stop sign. She is put in jail and the judge sets her bail at $10,000.

_____11. You are very concerned about animal rights. You decide to spread your ideas by speaking at a community meeting.

_____12. A leader of the Communist Party wants to give a speech in your town; the School Board allows him to use your school auditorium for this purpose.

ACTIVITY SHEET #6
JAMES MADISON AND GOVERNMENT

James Madison is considered the principal architect of the Constitution. In addition, he lobbied strongly for its ratification in *The Federalist Papers* and engineered the passage of the Bill of Rights in the first federal Congress. Below are some his comments and observations on constitutional government.

Translate each passage into modern terms and indicate what principle of American government Madison is discussing.

"I have sought for a middle ground which may at once support a due supremacy of national authority and not exclude [the states]."

_____

_____

"In framing a government, which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place, oblige it to control itself."

_____

_____

"Religion...must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right."

_____

_____

"...the public voice, prounounced by the representatives of the people, will be more consonant to the public good, than if pronounced by the people themselves..."

_____

_____

State and national governments "are in fact but different agents and trustees of the people, constituted with different powers."

_____

_____

_____

"In order to lay a due foundation for that separate and distinct exercise of the different powers of government...it is evident that each department [branch] should have a will of its own..."

"...that to the press alone, chequered as it is with abuses, the world is indebted for all the triumphs which have been gained by reason and humanity over error and oppression..."

"In all our deliberations...we kept steadily in our view...the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence...."

"...a government ...derives all its powers directly or indirectly from the people..."

ACTIVITY SHEET #7
MEETING OF THE MINDS – MADISON AND THE ENLIGHTENMENT

James Madison was an excellent student who was introduced to the ideas of the Enlightenment through his studies at Donald Robertson's school and Princeton. Later he studied ancient and modern governments in order to prepare himself for his leading role at the Constitutional Convention. Below are quotations from both Madison and Enlightenment philosophers. What principles are reflected in these comments? How are they reflected in American government?

David Hume: "Men have such a propensity to divide into personal factions tht the smallest appearance of a real difference will produce them."

James Madison: "So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts."

Charles-Louis de Montesquieu: "When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty....Again there is no liberty, if the judiciary power be not separated from the legislative and executive."

James Madison: "No political truth is certainly of greater intrinsic value, or is stamped with the authority of more enlightened patrons of liberty, than that...the accumulation of all powers, legislative, executive, and judiciary, in the same hands...may justly be pronounced the very definition of tyranny."

John Locke: "Through the earth, and all inferior creatures be common to all men, yet every man has a *property* in his own *person*. This, nobody has any right to but himself. The *labor* of his body, and the work of his hands, we may say, are properly his."

James Madison: "The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government."

Thomas Hobbes: "...for the passions of men, are commonly more potent than their reason."

James Madison: "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal restraints on government would be necessary."

_____

_____

John Locke: "For the end of government being the good of the community, whatsoever alterations are made in it, tending to that end, cannot be an *encroachment* upon anybody; since nobody in government can have a right tending to any other end."

James Madison: "Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it may be obtained, or until liberty be lost in the pursuit."

_____

_____

David Hume: "Honour is a great check upon mankind: But where a considerable body of men act together, this check is, in a great measure removed; since a man is sure to be approved of by his own party...and he soon learns to despise the clamours of adversaries."

James Madison: On respect for character: "However strong this motive may be in individuals, it is considered as very insufficient to restrain them from injustice. In a multitude its efficacy is diminished in proportion to the number which is to to share the praise or the blame."

_____

_____

ACTIVITY SHEET #8
IF YOU COULD SEE ME NOW!

Suppose James Madison were here today. Devise one question for him on each of the subjects listed below and give him a summary or bring him up-to-date on today's views of this issue.

RELIGIOUS FREEDOM
Question:

Comment:

POSITION OF RACIAL MINORITIES
Question:

Comment:

PROPERTY RIGHTS
Question:

Comment:

NEED FOR A STRONG CENTRAL GOVERNMENT
Question:

Comment:

IMPORTANCE OF THE UNION
Question:

Comment:

SEPARATION AND BALANCE OF POWERS
Question:

Comment:

PRINCIPLE OF MAJORITY RULE
Question:

Comment:

ACTIVITY SHEET #9
A COMMONPLACE BOOK

During his school years, Madison kept a commonplace book. In this notebook, Madison copied short quotations from books he read and made observations on his schooling and reading. He also wrote down short pieces of advice and bits of poetry that appealed to him. This was a common practice for eighteenth century students. Several quotes from Madison's commonplace book appear below. Put each into your own words. Then collect and write down some observations and quotations that are important and meaningful to you.

"In great affairs, the head signifies nothing without the heart."

"Men are valued for actions which they ought the most to be blamed for."

"Patience works greater effects than activity."

"Nothing makes one say and commit so many silly things as the desire of appearing witty."

"Those who conceal their vice from others, commonly conceal it from themselves."

"To lessen envy is the greatest of all secrets."

ACTIVITY SHEET #10
THANKS FOR THE MEMORY

In the eighteenth century, people often kept journals or diaries. They described what they did, where they traveled, and whom they met. They also wrote letters to friends with the same information. We know much about the Madisons' life at Montpelier through the journals and letters of their friends.

Write a journal entry or a letter describing your day at Montpelier and the many people you met.

APPENDIX A: HIGHLIGHTS FROM THE CONSTITUTION

Preamble

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States.

Article I – Legislative Branch – Congress (makes laws)

A. Laws are made by Congress which is composed of two "houses."

1. Senate – each state has two elected senators.
2. House of Representatives – each state has a number of elected representatives based on its population.

B. Senators serve for six years; Representatives serve for two years.

C. Congress has the following powers:

1. Raise taxes and borrow money
2. Control trade and approve treaties
3. Print and coin money
4. Pay for armed forces
5. Make laws
6. Remove the President from office
7. The Senate can reject Presidential appointments

Article II – Executive Branch – The President (carries out the laws)

A. Laws are enforced and carried out by an elected leader called the President, who serves for four years.

B. The President has the following powers:

1. Heads the armed forces
2. Appoints government leaders
3. Makes treaties (which the Senate must approve)
4. Carries out the laws

C. A Vice President is also elected, who will replace the President in case of death or removal from office.

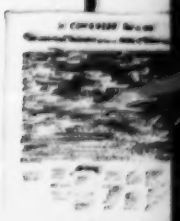
Article III – Judicial Branch – Judges and National Courts (decide the meaning of laws)

A. Laws are explained and interpreted by the U. S. Supreme Court -- the highest court in the nation.

B. Congress can set up other national courts.

C. The Judicial Branch has the following powers:

1. Can decide that a law is unconstitutional
2. Can decide on punishment for lawbreakers
3. Can decide that government officials have acted illegally



Article IV – States

A. Congress may allow new states to join the United States.

B. Each state must have a government elected by the people.

C. The national government must protect each state.

Article V – Changes to the Constitution

A. The Constitution can be changed if three-fourths of the states agree.

B. New parts added to the Constitution are called amendments.

Article VI – Highest Laws

A. The Constitution, national laws, and treaties made by the U. S. are the highest laws in the nation.

B. Judges in every state must follow these laws over any state or local laws.

APPENDIX B: HIGHLIGHTS FROM THE BILL OF RIGHTS

Amendment I – Freedom of Religion, Speech, Press and Assembly – We have a right to freedom of religion, speech, and press; a right to meet in groups; a right to ask the government to correct any unjust actions.

Amendment II – The Right to Bear Arms – Congress cannot prevent people from owning arms for their own protection; however, Congress and the State may set conditions under which the people are allowed to own arms.

Amendment III – Quartering of Soldiers – No one can be forced to keep soldiers in their home during peace time nor in time or war except in a manner allowed by law.

Amendment IV – Search and Seizure – Persons, houses, papers, and property may not be unreasonably searched and seized. Before a search warrant is issued by a judge, an oath must be taken by a law enforcement officer that the reason is a good one.

Amendment V – Rights of Persons Accused of Crime; Protection of Private Property – Before a person can be tried for a crime which could result in being sent to prison or sentenced to death, he or she must be accused of the crime by a group of citizens. No one can be tried for a crime the second time if the court sets him or her free after the first trial. No one can be forced to provide evidence against himself or herself in a trial. Private property cannot be taken from a person by the government for public use unless the government pays a fair price for the property.

Amendment VI – Right to a Speedy Trial – An accused person has the right to a speedy, public trial by a jury in the state where the crime was committed. A person is to be told of the charges. A person has the right to have a lawyer to question witnesses, and to call defense witnesses.

Amendment VII – Jury Trial in Civil Cases – In lawsuits involving values of more than $20.00, individuals have a right to a jury trial.

Amendment VIII – Bails, Fines and Punishments – Bails, fines and punishments must not be unreasonable.

Amendment IX – Rights Reserved to the People – The Constitution gives the people certain rights. It cannot list all rights. If a right is not listed in the Constitution, that does not mean that a person does not have it.

Amendment X – Powers Reserved to the States or People – All powers given to the national government are listed in the Constitution. All powers not given the national government belong the states or the people.